

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

I. NATURE OF ACTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter "FDCPA") and of the Revised Code of Washington, Chapter 19.16, both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices. Plaintiff further alleges a claim for invasion of privacy by intrusion, ancillary to Defendant's collection efforts.

II. JURISDICTION

2. Jurisdiction of this Court arises under 15 U.S.C. § 1692k(d).

III. PARTIES

3. Plaintiff, Meridee Albrecht, is a natural person residing in the State of Washington, County of King, and City of Tukwila.

4. Plaintiff is a “consumer” as defined by the FDCPA, 15 U.S.C. § 1692a(3), and a “debtor” as defined by RCW § 19.16.100(11).

5. At all relevant times herein, Defendant, Renton Collections, Inc., ("Defendant") was a company engaged, by use of the mails and telephone, in the business of attempting to collect a "debt" from Plaintiff, as defined by 15 U.S.C. §1692a(5).

6. Defendant is a “debt collector” as defined by the FDCPA, 15 U.S.C. § 1692a(6), and a “licensee,” as defined by RCW § 19.16.100(9).

IV. FACTUAL ALLEGATIONS

7. At various and multiple times prior to the filing of the instant complaint, including within the one year preceding the filing of this complaint, Defendant contacted Plaintiff in an attempt to collect an alleged outstanding debt. Defendant's conduct violated the FDCPA and RCW § 19.16 in multiple ways, including but not limited to:

- 1 a. Failing to disclose Defendants true corporate or business name in a
- 2 telephone call to Plaintiff (§ 1692d(6));
- 3 b. Falsely representing the character, amount, or legal status of Plaintiffs
- 4 debt, including representing that Plaintiff owes \$2500 for a debt with a
- 5 balance of \$820.18 as stated in a letter by Defendant, dated July 22,
- 6 2009 (§ 1692e(2)(A));
- 7 c. Threatening to take an action against Plaintiff that cannot be legally
- 8 taken or that was not actually intended to be taken, including
- 9 threatening to file a lawsuit against Plaintiff without having the actual
- 10 authority to do so (§ 1692e(5));
- 11 d. Causing Plaintiffs telephone to ring repeatedly or continuously with
- 12 intent to harass, annoy or abuse Plaintiff (§ 1692d(5)).

13 8. Defendant's aforementioned activities, set out in paragraph 8, also
 14 constitute an intentional intrusion into Plaintiff's private places and into private
 15 matters of Plaintiff's life, conducted in a manner highly offensive to a reasonable
 16 person. With respect to the setting that was the target of Defendant's intrusions,
 17 Plaintiff had a subjective expectation of privacy that was objectively reasonable
 18 under the circumstances.

19 9. As a result of Defendant's behavior, detailed above, Plaintiff
 20 suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,
 21 embarrassment, mental anguish and emotional distress.

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COUNT I: VIOLATION OF FAIR DEBT
COLLECTION PRACTICES ACT

23 10. Plaintiff reincorporates by reference all of the preceding paragraphs.

PRAAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the FDCPA;
 - B. Actual damages;
 - C. Statutory damages;
 - D. Costs and reasonable attorney's fees; and,
 - E. For such other and further relief as may be just and proper.

COUNT II: VIOLATION OF WASHINGTON COLLECTION AGENCY

ACT, WHICH IS A PER SE VIOLATION OF THE WASHINGTON

CONSUMER PROTECTION ACT

11. Plaintiff reincorporates by reference all of the preceding paragraphs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Actual damages;
 - B. Discretionary Treble Damages;
 - C. Costs and reasonable attorney's fees,
 - D. For such other and further relief as may be just and proper.

COUNT III: COMMON LAW INVASION OF PRIVACY BY INTRUSION

12. Plaintiff reincorporates by reference all of the preceding paragraphs.

PRAAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that judgment be entered against the Defendant for the following:

- A. Actual damages
 - B. Punitive Damages; and,
 - C. For such other and further relief as may be just and proper.

Respectfully submitted this 30th day of November, 2009.

s/Jon N. Robbins
Jon N. Robbins
WEISBERG & MEYERS, LLC
Attorney for Plaintiff